



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFW

In re Application of:

Narayan RAGHUNATHAN *et al.*

Appln. No.: **10/045,035**

Filed: **January 15, 2002**

For: **MULTI-LEVEL STACKING
CONTAINER**

Examiner: **Stephen J. Castellano**

Attorney Docket No. **213202-00359**

Confirmation No.: **7842**

March 21, 2006

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF DOCUMENT IN ACCORDANCE WITH 37 C.F.R. § 1.97(i)

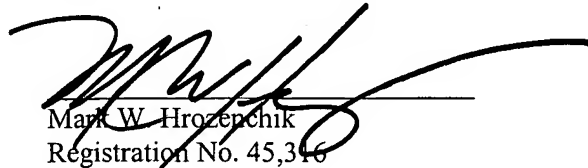
Sir:

Enclosed please find a Canadian Office Action received for a Canadian patent application related to the above-identified U.S. Non-Provisional Patent Application. Please enter the Canadian Office Action into the record of the above-identified U.S. Non-Provisional Patent Application, without consideration, in accordance with 37 C.F.R. § 1.97(i).

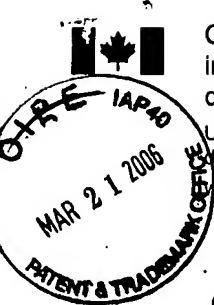
No fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-1710.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


Mark W. Hroczek
Registration No. 45,346

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FEB 27 2006

GOWLING LAFLEUR HENDERSON LLP
PATENT DEPARTMENT

February 20, 2006

Response due.
August 20/06

GOWLING LAFLEUR HENDERSON LLP

1 First Canadian Place
1600 - 100 King Street West
TORONTO Ontario
M5X 1G5

Application No. : **2,367,649**
Owner : **NORSEMAN PLASTICS LIMITED**
Title : **MULTI-LEVEL STACKING CONTAINER**
Classification : **B65D 21/06 (2006.01)**
Your File No. : **T8465989CA1**
Examiner : **T. Hanham**

YOU ARE HEREBY NOTIFIED OF A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*. IN ORDER TO AVOID ABANDONMENT UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.

This application has been examined as originally filed.

The number of claims in this application is 16.

The search of the prior art has revealed the following:

References Applied:

United States Patent documents

5609254 □	March 11, 1997	206/506	LOFTUS et al.
4391369 □	July 5, 1983	206/506	STAHL et al.

□ citation stemming from a foreign search report

LOFTUS et al. disclose a multi-level stacking container comprising a base (12), a first pair of opposing spaced-apart side walls extending from the base, each including a rim which includes a plurality of recesses (see figures) and two moveable support bars (23) extending across the sidewalls of the container including a rod configured to be received within the recesses, the rod including inwardly turned ends (26). The container sidewall includes a floating pivot which allows the rod to be placed within any of the recesses creating the nesting and stacking positions.

Canada

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STAHL et al. disclose a multi-level stacking container comprising a base (12), a first pair of opposing spaced-apart side walls extending from the base, each including a rim which includes a plurality of recesses (58, 54, 62) and two moveable support bars (44) extending across the sidewalls of the container including a rod (46) configured to be received within the recesses, the rod including inwardly turned ends. The container sidewall includes a floating pivot which allows the rod to be placed within any of the recesses creating the nesting and stacking positions.

The examiner has identified the following defect in the application:

The claims on file do not comply with paragraph 28.2(1)(b) of the *Patent Act*. LOFTUS et al. or STAHL et al. disclosed the claimed subject matter before the claim date.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

T. Hanham
Patent Examiner
819-953-4506
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